

## **REMARKS/ARGUMENTS**

The rejections presented in the Office Action dated April 8, 2010 (hereinafter Office Action) have been considered. Claims 1, 3-14, 21, 25, 26, and 28-37 remain pending in the application. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Claims 1-9, 11-22 and 24-26 are rejected based on 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2005/0218230 by Amtmann et al. (hereinafter “Amtmann”) in view of U.S. Patent No. 7,098,770 to Charrat et al. (hereinafter “Charrat”). Claims 10 and 23 are rejected based on 35 U.S.C. §103(a) as being unpatentable over Amtmann and Charrat and further in view of U.S. Publication No. 2001/0007815 by Philipsson (hereinafter “Philipsson”).

Applicants first note that the rejections of claims 2, 15-20, 22-24, and 27 are now moot due to the cancellation of these claims without prejudice or disclaimer. As to the remaining claims, Applicants respectfully traverse the rejection, but in the interests of advancing prosecution, and in a *bona fide* attempt to advance the application to allowance, present this response with amendment to the claims. For example, claim 1 now recites a reader logic unit connectable to a radio frequency interface and configured to cause the reader device to operate in a reader operation mode wherein the reader device transmits interrogation signals to detect and communicate with radio frequency identification transponders. A transponder logic unit is connectable to the radio frequency interface, and is configured to cause the reader device to operate in a transponder operation mode wherein the reader device acts as a radio frequency identification transponder. A switching unit is configured to activate the transponder logic unit when the reader device is not powered. These amendments are fully supported in the Specification as filed (e.g., paragraphs 0049 and 0077-0078 of the U.S. Publication of the instant Application) and no new matter has been added.

Applicants respectfully submit that the combination of Amtmann and Charrat at least fails to teach or suggest all the limitations of independent claim 1. Amtmann describes a portable device with an internal data carrier configuration designed for contactless communication, and an activation circuit activates one of the two configurations as a function

of a detection result. (Amtmann, Abstract). Amtmann fails at least to describe a device operating in both reader and transponder operation modes, nor does Amtmann teach or suggest that a switching unit activates any of the carrier configurations in response to a reader device not being powered.

Charrat fails to remedy at least the latter of these deficiencies of Amtmann. Charrat describes a contactless integrated circuit reader capable of switching to a passive operating mode in which the reader does not send a magnetic field and operates with regard to another reader like a contactless integrated circuit. (Charatt, column 2, lines 29-37). However, Charrat does not explicitly describe activating a transponder logic unit when the reader device is not powered. Nor is this suggested in Charrat, because Charrat describes this passive operating mode being a simulation of a passive device, e.g., “switching to a passive operating mode in which it simulates the operation of a contactless integrated circuit to converse or communicate with another contactless integrated circuit reader.” (Charrat, column 5, lines 29-31). Instead of using passive circuits, Charrat describes active logic (e.g., a microprocessor) to switch the device in and out of “passive” operating mode based on the value of a register flag. (Charrat, col. 8, lines 37-43), and this switching would inherently require power to operate even when in the passive mode.

For at least these reasons, the combination of Amtmann and Charrat fails to teach or suggest all the limitations of at least claim 1, and so this claim is allowable over the cited combination. Claims 3-14, 21, 25, 26, as amended, depend from claim 1. While not acquiescing with the particular rejections to these dependent claims, including any assertions concerning inherency or the taking of Official Notice, these rejections are now moot in view of the amendments and remarks made in connection with independent claim 1. These dependent claims include all of the limitations of the base claims and any intervening claims, and recite additional features which further distinguish these claims from the combination of Amtmann and Charrat.

Applicants also note the addition of method claims 28-37. These claims are fully supported in the Application as filed (e.g., currently amended claims 1 and 3-13) and no new matter has been added. These claims are allowable over the cited art at least for the same

reasons given above regarding claims 1 and 3-13. Entry and allowance of claims 28-37 is therefore respectfully solicited.

Authorization is given to charge Deposit Account No. 50-3581 (IHN.060.WUS) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the Examiner is invited to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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